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PART-I

Notifications, Orders and Declarations by Haryana Government

HARYANA GOVERNMENT

ENVIRONMENT, FORESTS AND WILDLIFE DEPARTMENT

Notification

The 30th September, 2025

No.1014-Ft-2-2025/5025.—

Term of Reference for FSO

The Forest Settlement Officer plays a crucial role in managing forest lands and resolving disputes related to forest resources. Appointed under section 4 (1c), 4 (2) and 4 (3), the FSO has responsibilities to inquire into rights of people, determine the boundaries of forest and manage disputes regarding rights if any. While executing the work of Forest Settlement Officer, the authority would have certain responsibilities while deciding the clean of the claimants as under:-

Responsibilities:

1. Inquire into forest rights:

Conduct inquiries into claims of rights of pasture or forest produce and determine the existence, nature, and extent of these rights.

2. Determine forest boundaries:

Demarcate and document forest boundaries, ensuring proper identification and management of forest lands.

3. Manage disputes:

Settle disputes related to forest land, including issues pertaining to use of forest resources.

4. Prepare record of details:

Maintain records of claims, objections, and decisions, ensuring transparency and accountability in the settlement process.

While executing the above responsibilities the FSO may:

1. Enter and survey land:

Enter any forest land and survey, demarcate, and make a map of the same. However, the Forest Settlement Officer would not be entitled to alter the forest boundaries as already established by Survey of India. While executing the Survey and demarcation work the reference maps would be the Geo referenced map prepared by Survey of India based on toposheets which were the basis of the acquisition of the land of 14 Bhoj which has to be notified now as Reserve Forest. The area of the scheduled land has been notified vide notification dated 18.12.1987. The reference maps will be geo-referenced maps prepared by Survey of India.

2. Civil Court powers:

Exercise powers of a Civil Court in the trial of suits related to forest rights, as provided in the Indian Forest Act, 1927.

The procedure to be followed while executing of settlement of rights:

1. Issue proclamation:

Issue proclamation to notify claimants and stakeholders about the settlement process.

2. Consider objections:

Consider and record objections from Forest Officers and other stakeholders.

3. Deciding Claims:

Deciding claims admitting or rejecting claims, either wholly or in part, and specify conditions for exercising rights.

Compliance of Hon'ble Supreme Court while settlements of right:

1. A Civil Misc. Petition No. 397 of 1979 was filed by the local inhabitants i.e. *Kishori Lal Sharma V/s The Land Acquisition Collector-cum-Sub divisional Magistrate &Ors. and others* in the Hon'ble Supreme Court of India on the ground that the petitioners own grazing rights etc. which have been incorporated in the Sharat Wazab-ul-Arz for the year 1917-18, ought to be acquired. However, the Hon'ble Supreme Court of India was pleased to dismiss the above C.M.P. No. 397 of 1979 on 23.02.1961.After the announcement of the award, the ownership and possession of the acquired forest land was taken over by the State Forest Department through the revenue authorities and the entry of the possession was also made in the concerned revenue record. The acquired land was declared as Protected Forest U/s 29, 30 and 32 of the Indian Forest Act, 1927, *vide* different notifications made on 14.05.1971, 02.06.1972 and 10.03.1981 respectively.

The Government of India enacted Forest (Conservation) Act, 1980 (now The Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980) which lays down that no forest area (Private or Government) can be deforested for non-forestry purpose without the prior concurrence of the Central Government.

2. Further FSO has to comply with the orders dated 15.05.2025 in Writ Petition (C) No. 202/1995 – RE: T.N. Godavarman Thirumulpad Vs. Union of India and others which state as under:

95……. (vi) The State Governments and the Union Territories are also directed to take steps to take back the possession of the land from the persons/institutions in possession of such lands and handover the same to the Forest Department. In case, it is found that taking back the possession of the land would not be in the larger public interest, the State Governments/Union Territories should recover the cost of the said land from the persons/institutions to whom they were allotted and use the said amount for the purpose of development of forests; and

(vii) We further direct the Chief Secretaries of all the States and the Administrators of all the Union Territories to constitute Special Teams to ensure that all such transfers take place within a period of one year from today. Needless to state that hereinafter such land should be used only for the purpose of afforestation.

3. In the above context the orders of the Hon'ble Supreme Court dated 23.07.2021 in Special Leave to Appeal (C) No(s). 7220-7221/2017 may be reviewed, which states as under: -

> *"……Needless to observe that the direction to remove all unauthorized structures standing on the forest land applies to "all" unauthorized structures without any exception……"*

In compliance of the above court orders all unauthorized structures raised on the forest lands have to be identified for further necessary action in compliance of the orders of the Hon'ble Supreme Court.

From paras above, it and tails that no rights can be accrued on the forest land.

Time frame:

The Hon'ble Court in its order dated 20.06.2025 has pleased to order as:

> *"The FSO is mandated to, forthwith, take requisite steps to ensure expeditious submission of his report with a further direction to State of Haryana to thereafter issue notification under Section 20 of 1927 Act of the scheduled land as a Reserved Forest latest by 31.12.2025."*

In view of above the FSO would accomplish the exercise of survey, demarcation and settlement of forest land by in the time frame as stipulated by the Hon'ble High Court of Punjab and Haryana as directed in CWP No. 469 of 2017 order dated 20.06.2025.

While accomplishing the works of FSO the following principles may be followed:

1. Sustainable forest management:

Ensure sustainable management of forest resources, balancing conservation and ecological needs.

2. Conflict resolution:

Resolve disputes and claims in a fair and transparent manner, promoting peaceful coexistence between forest, its resources, the responsible authorities for management of forest resources and the dependent communities.

SUDHIR RAJPAL,
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Environment, Forests and Wildlife Department.

12154—C.S.—H.G.P., Pkl.